

Effective 5/10/2016

58-37f-201 Controlled substance database -- Creation -- Purpose.

- (1) There is created within the division a controlled substance database.
- (2) The division shall administer and direct the functioning of the database in accordance with this chapter.
- (3) The division may, under state procurement laws, contract with another state agency or a private entity to establish, operate, or maintain the database.
- (4) The division shall, in collaboration with the board, determine whether to operate the database within the division or contract with another entity to operate the database, based on an analysis of costs and benefits.
- (5) The purpose of the database is to contain:
 - (a) the data described in Section 58-37f-203 regarding every prescription for a controlled substance dispensed in the state to any individual other than an inpatient in a licensed health care facility;
 - (b) data reported to the division under Section 26-21-26 regarding poisoning or overdose;
 - (c) data reported to the division under Subsection 41-6a-502(4) or 41-6a-502.5(5)(b) regarding convictions for driving under the influence of a prescribed controlled substance or impaired driving; and
 - (d) data reported to the division under Subsection 58-37-8(1)(e) or 58-37-8(2)(j) regarding certain violations of the Utah Controlled Substances Act.
- (6) The division shall maintain the database in an electronic file or by other means established by the division to facilitate use of the database for identification of:
 - (a) prescribing practices and patterns of prescribing and dispensing controlled substances;
 - (b) practitioners prescribing controlled substances in an unprofessional or unlawful manner;
 - (c) individuals receiving prescriptions for controlled substances from licensed practitioners, and who subsequently obtain dispensed controlled substances from a drug outlet in quantities or with a frequency inconsistent with generally recognized standards of dosage for that controlled substance;
 - (d) individuals presenting forged or otherwise false or altered prescriptions for controlled substances to a pharmacy;
 - (e) individuals admitted to a general acute hospital for poisoning or overdose involving a prescribed controlled substance; and
 - (f) individuals convicted for:
 - (i) driving under the influence of a prescribed controlled substance that renders the individual incapable of safely operating a vehicle;
 - (ii) driving while impaired, in whole or in part, by a prescribed controlled substance; or
 - (iii) certain violations of the Utah Controlled Substances Act.

Amended by Chapter 99, 2016 General Session